

## **MINUTES**

### **MONTANA SENATE 61st LEGISLATURE - REGULAR SESSION COMMITTEE ON STATE ADMINISTRATION**

**Call to Order:** Chairman Jim Shockley, on March 25, 2009 at 3:00 P.M., in Room 335 Capitol

#### **ROLL CALL**

**Members Present:**

Sen. Jim Shockley, Chairman (R)  
Sen. John Brueggeman, Vice Chairman (R)  
Sen. Joe Balyeat (R)  
Sen. Jerry W. Black (R)  
Sen. John Brenden (R)  
Sen. Mike Cooney (D)  
Sen. Larry Jent (D)  
Sen. Carolyn Squires (D)  
Sen. Joseph (Joe) Tropila (D)  
Sen. Jonathan Windy Boy (D)

**Members Excused:** Sen. Keith Bales (R)

**Members Absent:** None

**Staff Present:** Dave Bohyer, Legislative Branch  
Libby Goodwin, Committee Secretary

**Audio Committees:** These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

**Committee Business Summary:**

Hearing & Date Posted: HB 315, 3/20/2009

Executive Action: HB 147, HJ 23, HB 384, HB 289,  
HJ 9, HB 328, HB 475

**EXECUTIVE ACTION ON HB 147**

00:00:49 **Motion:** Sen. Windy Boy moved that **HB 147 BE CONCURRED IN.**

00:00:59 **Motion:** Sen. Cooney moved that **HB 147 BE AMENDED.**  
(Exhibit 3 from hearing of 3/13/09)

**Discussion:**

00:01:15 Sen. Cooney  
00:02:11 Dave Bohyer  
00:02:37 Chairman Shockley  
00:02:41 Dave Bohyer  
00:03:01 Sen. Cooney  
00:03:34 Sen. Balyeat  
00:04:00 Dave Bohyer  
00:04:20 Sen. Balyeat

00:04:29 **Vote:** Motion carried unanimously by voice vote. Sen. Bales and Sen. Squires voted by proxy.

00:04:47 Sen. Cooney  
00:04:56 Dave Bohyer

00:05:03 **Motion:** Sen. Cooney moved that **HB 147 BE CONCURRED IN AS AMENDED.**

00:05:24 Sen. Cooney  
**EXHIBIT**(sts66a01)

00:06:37 **Motion:** Sen. Cooney moved that **HB 147 BE AMENDED**  
(Exhibit 1).

00:06:57 Sen. Cooney  
00:08:40 Sen. Balyeat  
00:09:11 Sen. Cooney

00:09:43 **Vote:** Motion carried unanimously by voice vote. Sen. Bales and Sen. Squires voted by proxy.

00:10:18 **Motion:** Sen. Cooney moved that **HB 147 BE CONCURRED IN AS AMENDED.**

00:10:40 Sen. Balyeat  
00:13:16 Sen. Brenden  
00:14:53 Sen. Cooney  
00:16:26 Sen. Brueggeman  
00:17:26 Chairman Shockley

00:19:07 **Vote:** Motion carried 7-4 by roll call vote with Sen. Bales, Sen. Balyeat, Sen. Black, and Sen. Brenden voting no. Sen. Bales voted by proxy. Sen. Cooney will carry the bill.

**HEARING ON HB 315**

**Opening Statement by Sponsor:**

00:20:31 Rep. Anders Blewett (D), HD 21, opened the hearing on HB 315, Increase amount and slow phase out of retiree exclusion from income.

**Proponents' Testimony:**

00:24:10 Rep. Taylor, HD 11

00:25:23 Russell Wrigg, Association of Montana Retired Public Employees (AMRPE)

00:29:20 Marge Crennen, American Association of Retired Persons (AARP)

**EXHIBIT (sts66a02)**

00:30:27 Tom Altmaier, Montana Retired Educators Association

**EXHIBIT (sts66a03)**

00:31:42 Jessie Luther, Association of Montana Troopers

**Opponents' Testimony:**

00:32:18 None

**Informational Testimony:**

00:32:22 None

**Questions from Committee Members and Responses:**

00:32:27 Sen. Balyeat

00:32:49 Rep. Blewett

00:33:05 Sen. Balyeat

00:34:12 Rep. Blewett

00:35:12 Sen. Balyeat

00:35:43 Mr. Wrigg, AMRPE

00:36:15 Sen. Balyeat

00:37:01 Mr. Wrigg, AMRPE

**Closing by Sponsor:**

00:37:41 Rep. Blewett

**EXECUTIVE ACTION ON HJ 23**

00:39:57 **Motion:** Sen. Cooney moved that **HJ 23 BE CONCURRED IN.**

**Discussion:**

00:40:06 Chairman Shockley

00:40:27 **Vote:** Motion failed 5-6 by roll call vote with Sen. Cooney, Sen. Jent, Sen. Squires, Sen. Tropila, and Sen. Windy Boy voting aye. Sen. Bales voted by proxy.

00:41:17 **Motion:** Sen. Windy Boy moved that **HJ 23 BE TABLED AND THE VOTE REVERSED.**

00:41:25 Chairman Shockley, without objection from the committee, tabled the bill and reversed the vote.

**EXECUTIVE ACTION ON HJ 9**

00:42:14 **Motion:** Sen. Cooney moved that **HJ 9 BE CONCURRED IN.**

00:42:26 **Motion:** Sen. Cooney moved that **HJ 9 BE CONCEPTUALLY AMENDED** (clarification of notification procedure).

**Discussion:**

00:43:40 Sen. Cooney

00:45:10 Chairman Shockley

00:45:14 Sen. Cooney

00:45:17 Dave Bohyer

00:45:39 Sen. Cooney

00:46:16 **Vote:** Motion carried unanimously by voice vote. Sen. Bales voted by proxy.

00:46:28 **Motion/Vote:** Sen. Cooney moved that **HJ 9 BE CONCURRED IN AS AMENDED.** Motion carried unanimously by voice vote. Sen. Bales voted by proxy. Sen. Zinke will carry the bill.

**EXECUTIVE ACTION ON HB 384**

00:47:43 **Motion:** Sen. Cooney moved that **HB 384 BE CONCURRED IN.**

**Discussion:**

00:47:55 Sen. Cooney  
00:48:30 Chairman Shockley  
00:48:37 sen. Brenden  
00:48:58 Sen. Balyeat  
00:50:25 Chairman Shockley  
00:51:03 Sen. Cooney  
00:52:09 Sen. Balyeat  
00:53:58 Sen. Tropila  
00:54:30 Dave Bohyer  
00:55:04 Chairman Shockley  
00:55:26 Dave Bohyer

00:56:56 **Motion/Vote:** Sen. Tropila moved that **HB 384 BE CONCEPTUALLY AMENDED.** Motion carried unanimously by voice vote. Sen. Bales voted by proxy.

00:57:13 Sen. Cooney  
00:58:10 Chairman Shockley

00:58:53 **Motion:** Sen. Cooney moved that **HB 384 BE CONCURRED IN AS AMENDED.**

00:58:58 Sen. Squires  
00:59:08 Chairman Shockley  
00:59:27 Sen. Balyeat  
00:59:40 Chairman Shockley  
00:59:50 Sen. Windy Boy  
01:00:10 Chairman Shockley

01:00:19 **Vote:** Motion carried 9-2 by voice vote with Sen. Balyeat and Sen. Brenden voting no. Sen. Bales voted by proxy. Sen. Brueggeman will carry the bill.

**EXECUTIVE ACTION ON HB 289**

01:02:19 **Motion:** Sen. Cooney moved that **HB 289 BE CONCURRED IN.**

**Discussion:**

01:02:34 Sen. Black  
01:02:48 Sen. Balyeat  
01:03:21 Sen. Cooney

01:05:08 Sen. Balyeat  
01:07:35 Sen. Squires  
01:07:48 Sen. Tropila  
01:08:54 Sen. Brueggeman

01:10:16 **Vote:** Motion failed 3-8 by roll call vote with Sen. Black, Sen. Brueggeman, and Sen. Cooney voting aye. Sen. Bales voted by proxy.

01:11:17 Chairman Shockley, without objection from the committee, tabled the bill and reversed the vote.

**EXECUTIVE ACTION ON HB 328**

01:11:56 **Motion:** Sen. Cooney moved that **HB 328 BE CONCURRED IN.**

**Discussion:**

01:12:07 Sen. Cooney

01:13:16 **Motion:** Sen. Cooney moved that **HB 328 BE CONCEPTUALLY AMENDED.**

01:13:38 Dave Bohyer

01:14:06 **Vote:** Motion carried unanimously by voice vote. Sen. Bales voted by proxy.

01:14:29 **Motion/Vote:** Sen. Balyeat moved that **HB 328 BE CONCURRED IN AS AMENDED.** Motion carried unanimously by voice vote. Sen. Bales voted by proxy. Sen. Shockley will carry the bill.

**EXECUTIVE ACTION ON HB 475**

01:15:43 **Motion:** Sen. Cooney moved that **HB 475 BE CONCURRED IN.**

**Discussion:**

01:15:58 Sen. Cooney  
01:17:14 Sen. Brenden  
01:17:33 Sen. Cooney

01:18:43 **Vote:** Motion carried 9-2 by roll call vote with Sen. Brenden and Sen. Shockley voting no. Sen. Bales voted by proxy. Sen. Cooney will carry the bill.

**ADDITIONAL EXHIBITS:**

**EXHIBIT** (sts66a04)

**EXHIBIT** (sts66a05)

**EXHIBIT** (sts66a06)

**EXHIBIT** (sts66a07)

**ADJOURNMENT**

Adjournment: 4:45 P.M.

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Libby Goodwin, Secretary

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Additional Documents:

**EXHIBIT ([sts66aad.pdf](#))**